THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.31889 of 1997

28th August 2006

Between:

S.S.Budan, I.A.S., (Retd), S/o.Sankargal C.Babu Saheb, 62 years, Additional Secretary to the Government of Andhra Pradesh (Retd.), r/o.Hyderabad.

...PETITIONER

AND

1. The State of Andhra Pradesh rep.by its Chief Secretary to the Government of A.P., General Administration Department, Secretariat Buildings, Hyderabad.
2. Union of India, rep.by its Secretary, Government of India, Department of Personnel, North Block, New Delhi.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.31889 of 1997

ORDER: (Per the Hon'ble Mr Justice B.Prakash Rao)

The writ petitioner filed this Writ Petition seeking a Writ of Certiorari, *inter alia*, seeking to assail the order dated 17.07.1997 in O.A.No.243 of 1993 on the file of the Central Administrative Tribunal, Hyderabad ('the Tribunal' for brevity) wherein the application filed by him against the order dated 17.09.1992 imposing punishment of censure on certain allegations, was dismissed with liberty to the petitioner to avail the alternative remedy available under the law by way of preferring an appeal before the competent appellate authority.

The learned Government Pleader appearing on behalf of the respondents submits that in spite of the directions given, the petitioner did not choose to avail the alternative remedy of preferring an appeal. Further, the petitioner retired from service.

Considering the submissions made on either side and having regard to the alternative remedy available under the law by preferring

an appeal, as rightly observed by the Tribunal, this Court cannot entertain this Writ Petition filed under Article 227 of the Constitution of India.

The Writ Petition is accordingly dismissed. No costs.

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(B.PRAKASH RAO, J)

(RAMESH RANGANATHAN, J)

28th August 2006
RRB

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